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SS E C R E T SECTION 01 OF 02 PARIS 000381

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C O R R E C T E D C O P Y FOR MISSING NOFORN CAPTION

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TAGS: [PREL](#) [PGOV](#) [PTER](#) [PHUM](#) [MOPS](#) [KAWK](#) [KISL](#) [KPAO](#) [FR](#)  
SUBJECT: S/WCI OFFICIALS DISCUSS GUANTANAMO BAY DETAINEES  
WITH FRENCH OFFICIALS

REF: PARIS 264

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Classified By: Acting POL MC W. William Jordan for reasons 1.4 (B & D).

11. (S/NF) SUMMARY: France accepted four former Guantanamo Bay (GITMO) detainees with claims to immigration status in France in July 2004 and an additional three in March 2005. Ministry of Interior contact Christophe Chaboud noted that, unlike other European countries visited by Washington officials (UK and Albania), the majority of detainees repatriated by France are still considered a security risk and are treated as such. With the exception of the one detainee released without prejudice (out of seven detainees repatriated), the French intelligence service actively monitors the others and judges they have not ceased association with persons tied to extremist activities. France is still working to advance the detainee issue within the EU and is considering accepting detainees (reftel). French MFA DAS-equivalent for security affairs Martin Juillard and Laurent Pic of Prime Minister Fillon's office stressed that an EU common position would be of "clear interest" to the USG, warning that countries might attempt to "cherry pick" detainees if a framework were not in place. Juillard added that a common approach would also create a more fluid process for moving detainees. France would appreciate as much information as possible from the USG to help push the issue within the EU and in securing French public support. Pic noted the mid-March meetings in Washington with EU Vice President Jacques Barrot and the Czech minister of interior could help to resolve many of these issues. END SUMMARY.

French Approach to Detainee Reintegration  
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12. (S/NF) France accepted four former detainees with claims to immigration status in France in July 2004 and an additional three in March 2005. In a March 10 meeting with Ministry of Interior contacts Christophe Chaboud, Phillippe Hanin and Francois Thuillier, and Ministry of Justice official Philippe Tran Van, Chaboud noted that, unlike the UK and Albania, the majority of detainees repatriated by France are still considered a security risk and are treated as such. Of the seven detainees originally repatriated, only Mustaq Ali Patel was released without prejudice. Chaboud explained that Patel was a religious fundamentalist who had been held by the Taliban and was not deemed to be a threat. The six other former detainees were held in custody and tried. Five were convicted and sentenced to prison terms ranging from one to one and half years. Chaboud explained that while all six of the detainees were considered extremists, only five had trained in terrorist training camps. An appeals court overturned the conviction of the five on February 24, saying the security services who interviewed the defendants at GITMO did not have the legal authority to do so. Although the

court case is ongoing and it is unclear if the reversal will stand, the French security services will continue to monitor the former detainees regardless of the final outcome of the legal battle. The French intelligence service explained that they actively monitor the repatriated detainees. Philippe Hanin said that France still considers the six former detainees a security risk. When pressed, Hanin added that the detainee of greatest concern is Brahim Yadel, whose history of large wire transfers has worried investigators (Yadel was also suspected of plotting to attack the 1998 football World Cup in France).

#### EU Common Position: Still in Process

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¶3. (S/NF) French MFA DAS-equivalent for security affairs Martin Juillard and Laurent Pic of Prime Minister Fillon's office clarified the evolving EU approach to a common position for accepting Guantanamo detainees. While an EU common position has still not been established, France has been working with EU partners since January 2009 to formulate a position that would take into consideration security issues, especially for Schengen countries (reftel). Pic noted that previous EU acceptance of Palestinians from the Church of the Nativity in Bethlehem (reftel) could serve as a useful precedent for granting residency permits within the Schengen system. Pic added that the discussions within the EU are still quite difficult; the French are looking for ways to put in place a procedure for accepting detainees while not pressuring countries that are unwilling to resettle them.

¶4. (S/NF) Juillard explained that an EU common position would be of "clear interest" to the USG to avoid "cherry picking" by EU countries willing to accept detainees as well as creating a more fluid process for moving detainees. That said, Pic noted that there were some EU members -- unspecified -- still resistant to the idea of accepting detainees. For this reason the GOF would appreciate as much

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information as possible from the USG to help push the issue within the EU and to secure French public support. Some of the EU debate over a common position, Juillard said, needed to focus on forming some procedures to create contingency plans when a detainee's first choice of accepting country is refused by that country. Perhaps, he suggested, the GOF, EU and USG could work together collectively to craft a mechanism for other EU countries to help fill the void. Juillard and Pic noted that the idea of a clearing house (reftel) as part of a common position was intended to provide a data-sharing mechanism rather than as a forum for collective decision-making, which the French believe would hinder the decision-making process.

#### Increased Coordination and Additional Issues

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¶5. (S/NF) Juillard said the GOF needed to know the status of the USG's review process. He noted that since Prime Minister Fillon and Foreign Minister Kouchner announced that France would consider accepting detainees (reftel), French public opinion has continued to sour. France realizes that the issue will be a tough sell to the French public, so any help the U.S. can provide to assist the GOF with selling the idea to the French public would be greatly appreciated. Another "sensitive" concern for the French is the possibility of extradition of former Guantanamo Bay detainees as well as prosecutions and detentions, Juillard said. In addition, the French would like to have more information on reintegration procedures so that detainees did not resume terrorist activities. Such procedures could be legal and financial. Before France could consider accepting detainees, the GOF would like to interview the detainees in such a way that would "not cause" legal problems, Juillard said. Pic said France and the EU hope many of these issues will be resolved during the mid-March meetings in Washington with EU Vice

President Jacques Barrot and Czech Minister of Interior  
Langer.

PEKALA